



**St Nicholas**  
**Catholic High School**

**Confidentiality Policy**

# **St. Nicholas Catholic High School Confidentiality Policy**

## **Rationale and statement on the importance of confidentiality**

### **At St. Nicholas Catholic High school we believe that:**

- The safety, well being and protection of our students are the paramount consideration in all decisions staff at this school make about confidentiality. The appropriate sharing of information between school staff and partner agencies is an essential element in ensuring our students' wellbeing and safety.
- It is an essential part of the ethos of our school that trust is established to enable students, staff, and Parents/Carers to seek help both within and outside the school and minimise the number of situations when personal information is shared to ensure students, staff are supported and safe
- Students, Parents/Carers and staff need to know the boundaries of confidentiality in order to feel safe and comfortable in discussing personal issues and concerns, including within Relationship and Sexual Education.
- The school's attitude to confidentiality is open and easily understood and everyone should be able to trust the boundaries of confidentiality operating within the school.
- Issues concerning personal information can arise at any time.
- Everyone in the school community understands that no one can offer absolute confidentiality.
- Everyone in the school community needs to know the limits of confidentiality that can be offered by individuals within the school community so they can make informed decisions about the most appropriate person to talk to about any health, sex and relationship or other personal issue they want to discuss.

## **Definition of Confidentiality**

The dictionary definition of confidential is "something which is spoken or given in confidence; private, entrusted with another's secret affairs"

When speaking confidentially to someone the confider has the belief that the confidant will not discuss the content of the conversation with another. The confider is

asking for the content of the conversation to be kept secret. Anyone offering absolute confidentiality to someone else would be offering to keep the content of his or her conversation completely secret and discuss it with no one.

In practice there are few situations where absolute confidentiality is offered in St. Nicholas Catholic High School. We have tried to strike a balance between ensuring the safety, well being and protection of our students and staff, ensuring there is an ethos of trust where students and staff can ask for help when they need it and ensuring that when it is essential to share personal information child protection issues and good practice is followed.

This means that in most cases what is on offer is limited confidentiality. Disclosure of the content of a conversation could be discussed with professional colleagues but the confider would not be identified except in certain circumstances.

**The general rule is that staff should make clear that there are limits to confidentiality, at the beginning of the conversation. These limits relate to ensuring childrens' safety and well being. The student will be informed when a confidence has to be broken for this reason and will be encouraged to do this for themselves whenever this is possible.**

Different levels of confidentiality are appropriate for different circumstances.

**1. In the classroom in the course of a lesson** given by a member of teaching staff or an outside visitor, including health professionals.

Careful thought needs to be given to the content of the lesson, setting the climate and establishing groundrules to ensure confidential disclosures are not made. It should be made clear to students that this is not the time or place to disclose confidential, personal information.

When a health professional is contributing to a school health education programme in a classroom setting, s/he is working with the same boundaries of confidentiality as a teacher.

**2. One to one disclosures to members of school staff (including voluntary staff).**

It is essential all members of staff know the limits of the confidentiality they can offer to both students and Parents/Carers. This includes any required actions and sources of further support or help available both for the student or Parent/Carer and for the staff member from other agencies, where appropriate. All staff at this school encourage students to discuss difficult issues with their Parents or Carers. However, the needs of the student are paramount and school staff will not automatically share information about the student with his/her Parents/Carers unless it is considered to be in the child's best interests.

(Note: That is, that when concerns for a child or young person come to the attention of staff, for example through observation of behaviour or injuries or disclosure, however insignificant this might appear to be, the member of staff should discuss this with the Designated Safeguarding Lead (Miss E Lavin KS4/5 or Mr D Johnson) as soon as is

practically possible. More serious concerns must be reported immediately to ensure that any intervention necessary to protect the child is accessed as early as possible. Please see the school Safeguarding Policy.)

### **3. Disclosures to a counsellor, school nurse or health professional operating a confidential service in the school.**

Health professionals such as school nurses can give confidential medical advice to students provided they are competent to do so and follow the Fraser Guidelines (guidelines for doctors and other health professionals on giving medical advice to under 16s). School nurses are skilled in discussing issues and possible actions with young people and always have in mind the need to encourage students to discuss issues with their parents or carers. However, the needs of the student are paramount and the school nurse will not insist that a student's Parents or Carers are informed about any advice or treatment they give.

#### **Contraceptive advice and pregnancy:**

The DoH has issued guidance (July 2004) which clarifies and confirms that health professionals owe young people under 16 the same duty of care and confidentiality as older patients. It sets out principles of good practice in providing contraception and sexual health advice to under-16s. The duty of care and confidentiality applies to all under-16s. Whether a young person is competent to consent to treatment or is in serious danger is judged by the health professional on the circumstances of each individual case, not solely on the age of the patient. However, the younger the patient the greater the concern that they may be being abused or exploited. The guidance makes it clear that health professionals must make time to explore whether there may be coercion or abuse. Cases of grave concern would be referred through child protection / safeguarding procedures.

#### **The legal position for school staff:**

School staff (including non-teaching and voluntary staff) should not promise confidentiality. Students do not have the right to expect that incidents will not be reported to his/her Parents/Carers and may not, in the absence of an explicit promise, assume that information conveyed outside that context is private. No member of this school's staff can or should give such a promise.

The safety, well being and protection of the child is the paramount consideration in all decisions staff at this school make about confidentiality.

School staff are NOT obliged to break confidentiality except where child protection is or may be an issue, however, at St. Nicholas Catholic High School we believe it is important staff are able to share their concerns about students with colleagues in a professional and supportive way, on a need to know basis, to ensure staff receive the guidance and support they need and the students' safety and well-being is maintained. Staff should discuss such concerns with their line manager or the Designated Safeguarding Lead.

**Teachers, Learning Mentors and Health Professionals:**

Professional judgement is required by a Teacher, Learning Mentor or Health Professional in considering whether they should indicate to a child that the child could make a disclosure in confidence and whether such a confidence could then be maintained having heard the information. In exercising their professional judgement the Teacher, Learning Mentor or Health Professional must consider the best interests of the child including the need to both ensure trust to provide safeguards for our children and possible child protection issues.

All teachers at this school receive basic training in child protection as part of their induction to this school and are expected to follow the school's Safeguarding Policy and Procedures.

**Counsellors and Health Professionals:**

At St. Nicholas Catholic High School we offer students the support of the school nursing service which operates a drop in service for students. These services are confidential between the counsellor or health professional and the individual student. No information is shared with school staff except as defined in the school's Safeguarding Policy. This is essential to maintain the trust needed for these services to meet the needs of our students.

**Visitors and non-teaching staff:**

At St. Nicholas Catholic High School, we expect all non teaching staff, including voluntary staff, except those identified in the paragraph above, to report any disclosures by students or parents/carers, of a concerning personal nature to the Designated Safeguarding Lead as soon as possible after the disclosure and in an appropriate setting, so others cannot overhear. This is to ensure the safety, protection and well being of all our students and staff. The Designated Safeguarding Lead will decide what, if any, further action needs to be taken, both to ensure the student gets the help and support they need and that the member of staff also gets the support and supervision they need.

**Parents/carers:**

St. Nicholas Catholic High School believes that it is essential to work in partnership with Parents and Carers and we endeavour to keep Parents/ Carers abreast of their child's progress at school, including any concerns about their progress or behaviour. However, we also need to maintain a balance so that our students can share any concerns and ask for help when they need it. Where a student does discuss a difficult personal matter, staff at St. Nicholas Catholic High School, will encourage them to also discuss the matter with their parent or carer themselves.

The safety, well being and protection of our students is the paramount consideration in all decisions staff at this school make about confidentiality.

**Complex cases:**

Where there are areas of doubt about the sharing of information, the Designated Safeguarding Lead will also seek advice from partner agencies such as the Safeguarding Children in Education team or Children's Social Services.

**Statement of ground rules to be used in lessons**

We adopt groundrules to ensure a safe environment for teaching in particular in PSHEE, Citizenship and Form time. This reduces anxiety to students and staff and minimises unconsidered, unintended personal disclosures.

At the beginning of such a session, students are reminded of the groundrules by the teacher or outside visitor. The teacher establishes the ground rules together with the students.

**When confidentiality should be broken and procedures for doing this:**

In conjunction with the Safeguarding Policy, a member of staff may share information in order to safeguard or protect the wellbeing of a young person.

Where this does not apply and you are still concerned and unsure of whether the information should be passed on, or other action taken, you should speak to **Miss E Lavin or Mr D Johnson**.

**If the Headteacher issues instructions that he should be kept informed, all staff must comply. There is always a good reason for this, which you may not know about.**

**The principles we follow at St. Nicholas Catholic High School are that in all cases we:**

- Ensure the time and place are appropriate, when they are, not we will reassure the young person that we understand they need to discuss something very important and that it warrants time, space and privacy.  
We will then see the young person normally (and always in cases of neglect, or abuse) before the end of the school day. More serious concerns must be reported immediately to ensure that any intervention necessary to protect the young person is accessed as early as possible.
- Tell the young person that we cannot guarantee confidentiality if we think they will:
  - hurt themselves
  - hurt someone else
  - or they tell us that someone is hurting them or others
- Not interrogate the young person or ask leading questions
- We will not put young people in the position of having to repeat distressing matters to several people
- Inform the young person first before any confidential information is shared, with the reasons for this.
- Encourage the young person, whenever possible or appropriate to confide in his/her own Parents/Carers

## Support for staff

Staff may have support needs themselves in dealing with some of the personal issues of our students. At St. Nicholas Catholic High School we prefer staff to ask for help rather than possibly making a poor decision because they do not have all the facts or the necessary training, or are taking worries about students home. There are many agencies we can refer students to who need additional support and we have procedures to ensure this happens. We all work together as part of a team to support our students and asking for help is a way we ensure that the school is a happy and safe learning environment.

### Onward referral:

Miss E Lavin and Mr D Johnson the Designated Safeguarding Leads, are responsible for referring students to the outside agencies from the school. Please do not make referrals yourself unless you believe a child protection referral to the police or Social Care is necessary and the designated person does not agree.

Students can also obtain confidential help themselves, accessing the information available in the student planners eg: school nurse drop ins, GP, local drug and alcohol agencies, Childline, etc.

### Dissemination and implementation:

This policy has been distributed to all teaching and non-teaching staff..

### Review:

This policy is reviewed every 2 years or whenever deemed necessary by the Headteacher and Governors in the light of events and changes in the law.

Reviewed by: Student Welfare & Progress Committee	Date: 28 <sup>th</sup> January 2016
Ratified by Governing Body	Date: 22 <sup>nd</sup> March 2016
Review of Policy Due By	Date: